

This Week in Employment Law

A Run-Down of Workplace Rights for New Parents

With the Duke and Duchess of Sussex officially announcing the birth of their baby boy, we're presented with an opportunity to highlight some of the main rights afforded to parents at work. Join us as we take a closer look at these workplace entitlements below:

- **Maternity & adoption leave** – Mothers are entitled to 52 weeks of maternity leave, 39 weeks of which are paid at the statutory rate where eligibility criteria are met. The same applies to the 'main adopter' in an adoption scenario.
- **Paternity leave** – Fathers, mothers' partners and 'secondary adopters' can take up to 2 weeks of paternity leave, which is also paid at the statutory rate where eligibility criteria are met.
- **Shared parental leave** – Parents can share up to 50 weeks of leave between them where the mother curtails her maternity leave. Leave can be taken in blocks of minimum one week and parents can take leave at the same time.
- **Flexible working** – All staff with at least 26 weeks' service can make a flexible working request. Although anyone meeting the service criterion can make a request for any reason, many requests are received from parents who wish to balance work life with parenting.
- **Parental leave** – Employees with a year's service can take unpaid leave to spend time with their child who is under the age of 18. Maximum leave to be taken is 18 weeks, generally held to maximum of 4 weeks per year.

Firms encouraged to reveal retention of new mothers

The Women and Equalities Committee have recently encouraged employers to be open about how many of their employees who return to work following maternity leave stay with company long-term. Many argue that a lack of support towards working mothers adds to the gender pay gap.

Did you know?

Women returning from maternity leave have the right to return to the same job. However, if it is not practicable, those who return after more than 26 weeks' leave have the right to return to another suitable job, on no less favourable terms, including pay and other contractual rights.

Plans to introduce 'world's highest' minimum wage

Reports have emerged in the last week that Chancellor Phillip Hammond is considering increasing the national minimum wage (NMW) in the future to £9.61 per hour. This is said to be down to concerns over low pay and insecure employment that affects UK employees.

Did you know?

The minimum wage payable to those aged 25 and over is currently £8.21 per hour. NMW rates are reviewed for all age groups in April each year and it is important that employers keep on top of any changes to avoid both tribunal claims and naming and shaming from HM Revenue and Customs.

Number of 'home workers' increases dramatically

Information from the Office of National Statistics (ONS) has revealed that the number of people working from home has increased by 74% from 2008 to 2018. This reflects the rise in popularity of flexible working arrangements which can offer staff a better work-life balance.

Did you know?

Home working is just one example of flexible working; other examples are a change in shift patterns or overall reduction in working hours. Where a statutory flexible working request is made, employers should follow the Acas Code of Practice on ensuring the request is dealt with reasonably.

Employers need to be mindful of the rights of working parents and should remember that the change in personal circumstances may require managerial understanding and support. It will be vital to stay on top of their statutory rights in these situations; make use of our 24 Hour Advisory Service if you have any specific concerns.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.